

Notice of Allowability

Application No.

09/783,239

Examiner

Cas Stulberger

Applicant(s)

GRUIA, DUMITRU

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/13/2001.
2. ☒ The allowed claim(s) is/are 1-42.
3. ☒ The drawings filed on 13 February 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>02/13/2001</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. Applicant's application, filed February 13, 2001, with respect to claims 1-42 have been fully considered and are persuasive.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance: U.S Patent No. 5,805,705 to Gray et al discloses that "when a change in the key synchronization bit value is detected, the receiving node will begin using a previously received, new decryption key" (Gray: Abstract). However the key synchronization bit is located in the header (Gray: Figure 5). Therefore this does not disclose "signaling, to one of said first and second nodes, a switch to said new key with a switch-to-new-key code that is not part of said header or payload of any of said information blocks that are being transmitted between said first and second nodes."

U.S. Patent No. 5,706,348 to Gray et al discloses "sending a marker packet from a source node to a destination node. When the destination node recognizes the marker packet, it discards it and activates the previously received key for use in decrypting subsequently received packets" (Gray: Abstract). However the marker packet contains the current key and the new key in the payload of the packet sent to the destination node (Gray: Figure 6). Therefore this does not disclose "signaling, to one of said first and second nodes, a switch to said new key with a switch-to-new-key code that is not part of said header or payload of any of said information blocks that are being transmitted between said first and second nodes."

U.S Patent No 5,210,773 to Schmid et al discloses in the IEEE 802.3 standard that "pulse switching at the end of a data packet where line control signals can be derived that are

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synchronous with the receiving pulse of the preceding data packet” (Schmid: column 8, lines 33-44). Schmid also discloses that “a transmission timing signal is available at the end of the data packet, from which line control signals may be derived” (Schmid: column 11, lines 37-54).

Schmid however does not disclose “signaling, to one of said first and second nodes, a switch to said new key with a switch-to-new-key code that is not part of said header or payload of any of said information blocks that are being transmitted between said first and second nodes” using the line control signals between packets.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cas Stulberger whose telephone number is (571) 272-3810. The examiner can normally be reached on Monday - Friday, 9:00A.M. - 6:00P.M.

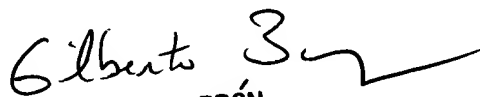
If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Gilberto Barron can be reached on (571) 272-3810. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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SUPERVISORY PATENT EXAMINER
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